

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD.,) Civ. No. 04-00124 ACK-BMK
a Japanese corporation,)
) CONSOLIDATED CASES
Plaintiff,)
)
v.) ORDER REGARDING EX PARTE
) MOTION TO SEAL DOCUMENTS
QK HOTEL, LLC, a Hawai`i)
limited liability company, KG)
HOLDINGS, LLC, a Hawai`i)
limited liability company,)
FRANKLIN K. MUKAI,)
)
Defendants,)
)
and)
)
FRANKLIN K. MUKAI,)
)
Third-Party)
Plaintiff,)
)
v.)
)
SPORTS SHINKO (USA) CO.; LTD.,)
a Delaware corporation; SPORTS)
SHINKO (HAWAII) CO., LTD., a)
Hawai`i corporation; SPORTS)
SHINKO (MILILANI) CO., LTD., a)
Hawai`i corporation; SPORTS)
SHINKO (KAUAI) CO., LTD., a)
Hawai`i corporation; SPORTS)
SHINKO (PUKALANI) CO., LTD., a)
Hawai`i corporation; SPORTS)
SHINKO RESORT HOTEL)
CORPORATION, a Hawai`i)
corporation; SPORTS SHINKO)
(WAIKIKI) CORPORATION, a)
Hawai`i corporation; and OCEAN)
RESORT HOTEL CORPORATION, a)
Hawai`i corporation,)
)
Third-Party)
Defendants.)
)

SPORTS SHINKO (USA) CO., LTD.,
a Delaware corporation,

Plaintiff,

v.

PUKALANI GOLF CLUB, LLC, a
Hawai'i limited liability
company; KG MAUI DEVELOPMENT,
LLC, a Hawai'i limited
liability company; KG HOLDINGS,
LLC, a Hawai'i limited
liability company, FRANKLIN K.
MUKAI,

Defendants,

and

FRANKLIN K. MUKAI,

Third-Party
Plaintiff,

v.

SPORTS SHINKO CO., LTD.,
a Japan corporation, SPORTS
SHINKO (HAWAII) CO., LTD.,
a Hawai'i corporation, SPORTS
SHINKO (MILILANI) CO., LTD.,
a Hawai'i corporation, SPORTS
SHINKO (KAUAI) CO., LTD.,
a Hawai'i corporation, SPORTS
SHINKO (PUKALANI) CO., LTD., a
Hawai'i corporation, SPORTS
SHINKO RESORT HOTEL
CORPORATION, a Hawai'i
corporation, SPORTS SHINKO
(WAIKIKI) CORPORATION,
a Hawai'i corporation, and
OCEAN RESORT HOTEL CORPORATION,
a Hawai'i corporation,

Third-Party
Defendants.

Civ. No. 04-00125 ACK-BMK

SPORTS SHINKO (USA) CO., LTD, a)
 Delaware corporation,)
 Plaintiff,)
 v.)
 KIAHUNA GOLF CLUB, LLC, a)
 Hawai'i limited liability)
 company; KG KAUAI DEVELOPMENT,)
 LLC, a Hawai'i limited liability)
 company; PUKALANI GOLF CLUB,)
 LLC, a Hawai'i limited liability)
 company; KG MAUI DEVELOPMENT,)
 LLC, a Hawai'i limited liability)
 company; MILILANI GOLF CLUB,)
 LLC, a Hawai'i limited liability)
 company; QK HOTEL, LLC, a)
 Hawai'i limited liability)
 company; OR HOTEL, LLC, a)
 Hawai'i limited liability)
 company, and KG HOLDINGS, LLC,)
 a Hawai'i limited liability)
 company,)
 Defendants,)
 and)
 FRANKLIN K. MUKAI,)
 Third-Party)
 Plaintiff,)
 v.)
 SPORTS SHINKO CO., LTD., a)
 Japan corporation, SPORTS)
 SHINKO (HAWAII) CO., LTD., a)
 Hawai'i corporation, SPORTS)
 SHINKO (MILILANI) CO., LTD., a)
 Hawai'i corporation, SPORTS)
 SHINKO (KAUAI) CO., LTD., a)
 Hawai'i corporation, SPORTS)
 SHINKO (PUKALANI) CO., LTD., a)
 Hawai'i corporation, SPORTS)

SHINKO RESORT HOTEL)
 CORPORATION, a Hawai`i)
 corporation, SPORTS SHINKO)
 (WAIKIKI) CORPORATION, a)
 Hawai`i corporation and OCEAN)
 RESORT HOTEL CORPORATION, a)
 Hawai`i corporation,)
)
 Third-Party)
 Defendants.)
)

SPORTS SHINKO CO., LTD., a)
 Japanese corporation,)

Plaintiff,)

v.)

OR HOTEL, LLC, a Hawai`i)
 limited liability company, KG)
 HOLDINGS, LLC, a Hawai`i)
 limited liability company,)
 FRANKLIN K. MUKAI,)

Defendants,)

and)

FRANKLIN K. MUKAI,)

Third-Party)
 Plaintiff,)

v.)

SPORTS SHINKO (USA) CO., LTD.,)
 a Delaware corporation; SPORTS)
 SHINKO (HAWAII) CO., LTD., a)
 Hawai`i corporation; SPORTS)
 SHINKO (MILILANI) CO., LTD., a)
 Hawai`i corporation; SPORTS)
 SHINKO (KAUAI) CO., LTD., a)
 Hawai`i corporation; SPORTS)
 SHINKO (PUKALANI) CO., LTD., a)
 Hawai`i corporation; SPORTS)
 SHINKO RESORT HOTEL)
 CORPORATION, a Hawai`i)

Civ. No. 04-00127 ACK-BMK

corporation; SPORTS SHINKO
(WAIKIKI) CORPORATION, a
Hawai`i corporation; and OCEAN
RESORT HOTEL CORPORATION, a
Hawai`i corporation,

Third-Party
Defendants.

SPORTS SHINKO (USA) CO., LTD.,
a Delaware corporation,

Plaintiff,

v.

MILILANI GOLF CLUB, LLC,
a Hawai`i limited liability
company; KG HOLDINGS, LLC,
a Hawai`i limited liability
company, FRANKLIN K. MUKAI,

Defendants,

and

FRANKLIN K. MUKAI,

Third-Party
Plaintiff,

v.

SPORTS SHINKO CO., LTD., a
Japan corporation, SPORTS
SHINKO (HAWAII) CO., LTD., a
Hawai`i corporation, SPORTS
SHINKO (MILILANI) CO., LTD., a
Hawai`i corporation, SPORTS
SHINKO (KAUAI) CO., LTD., a
Hawai`i corporation, SPORTS
SHINKO (PUKALANI) CO., LTD.,
a Hawai`i corporation, SPORTS
SHINKO RESORT HOTEL
CORPORATION, a Hawai`i
corporation, SPORTS SHINKO

Civ. No. 04-00128 ACK-BMK

(WAIKIKI) CORPORATION, a)
Hawai'i corporation, and)
OCEAN RESORT HOTEL CORPORATION,)
a Hawai'i corporation,)
)
Third-Party)
Defendants.)
_____)

ORDER REGARDING EX PARTE MOTION TO SEAL DOCUMENTS

The Court has reviewed Defendants' Ex Parte Motion to Seal Exhibits 6, 7, 8, 10, 11 and 12 to Motion to Dismiss Cv. Nos. 04-00125 ACK-BMK, 04-00126 ACK-BMK and 04-00128 ACK-BMK for Lack of Subject Matter Jurisdiction (the "Motion to Seal"), filed November 16, 2006. The Motion to Seal does not appear to meet (or even recognize) the standards set forth by the Ninth Circuit Court of Appeals in Kamakana v. City and County of Honolulu, 447 F.3d 1172 (9th Cir. 2006) ("documents attached to dispositive motions must meet the high threshold of showing that 'compelling reasons' support secrecy"; a "good cause" showing is not sufficient); see also Madsen v. Fortis Benefits Ins. Co., No. CV 04-1959-PHX-JAT, 2006 WL 1981785 (D. Ariz. July 13, 2006). Accordingly, leave to file an amended Motion to Seal is granted.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, November 17, 2006.



Alan C. Kay
Alan C. Kay
Sr. United States District Judge